

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 /069 W

----- 057178

R 122025Z FEB 76

FM AMCONSUL QUEBEC

TO SECSTATE WASHDC 0568

AMEMBASSY OTTAWA

INFO AMCONSUL MONTREAL

UNCLAS QUEBEC 23 FEBRUARY 12

E.O. 11652: N/A

TAGS: PINT, CA

SUBJECT: BOURASSA NOTES PROGRESS IN PRELIMINARY FEDERAL-
PROVINCIAL TALKS AIMED AT REPATRIATION OF CONSTITU-
TION.

REF: QUEBEC A-28 OF 8/27/75

1. PREMIER BOURASSA STATED FEBRUARY 11 THAT PRELIMINARY FEDERAL-PROVINCIAL TALKS AIMED AT SEVERING THE BRITISH PARLIAMENT'S FORMAL CONTROL OVER CANADA'S CONSTITUTION ARE NEARING CONCLUSION. HE ADDED THAT A DECISION ON WHETHER TO CONVENE A FULL CONFERENCE OF PROVINCIAL PREMIERS TO DISCUSS REPATRIATION OF THE CONSTITUTION WILL BE MADE WITHIN A FEW MONTHS, POSSIBLY DURING THE OLYMPICS.
2. BOURASSA REVEALED THAT HE AND TRUDEAU AGREED LAST SPRING TO BEGIN EXPLORATORY DISCUSSIONS ON QUEBEC'S DEMANDS THAT GUARANTEES FOR CULTURAL SOVEREIGNTY FOR QUEBEC BE SIGNED BEFORE THE 1867 BRITISH NORTH AMERICAN ACT IS BROUGHT UNDER CANADIAN CONTROL (SEE REFAIR). FEBRUARY 12 MONTREAL GAZETTE CONCLUDES THAT PREMIER'S REVELATIONS PLUS HIS OPTIMISTIC ATTITUDE INDICATE HE HAS WON APPROVAL IN PRINCIPLE OF CULTURAL GUARANTEES FROM OTTAWA ALTHOUGH IT REMAINS TO BE SEEN IF OTHER PROVINCES WILL AGREE.
3. PREMIER INDICATED QUEBEC WILL BE FLEXIBLE IN REACHING A COMPROMISE BETWEEN TRUDEAU'S INSISTANCE THAT BNA ACT BE REPATRIATED TO CANADA BEFORE IT IS AMENDED AND QUEBEC'S INSISTENCE ON PRIOR GUARANTEES. BOURASSA INDICATED THAT

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SIGNED COMMITMENTS TO ENSURE PROTECTION OF FRENCH CULTURE

WITHIN THE CONSTITUTION, FOLLOWED BY AMENDMENTS AFTER REPATRIATION MADE ACCORDING TO A CANADIAN FORMULA WOULD BE ACCEPTABLE. HE IS WILLING TO ACCEPT AMENDING FORMULA AGREED UPON AT VICTORIA IN 1971 WHEREBY APPROVAL OF FEDERAL PARLIAMENT PLUS A MAJORITY OF PROVINCIAL LEGISLATURES WOULD BE NECESSARY. QUEBEC AND ONTARIO, OR A COMBINATION OF ANY 2 ATLANTIC OR WESTERN PROVINCES WOULD HAVE A VETO.

4. GUARANTEES OF CULTURAL PROTECTION FOR FRENCH CANADA WOULD NOT IMPLY SPECIAL CONSTITUTIONAL STATUS FOR QUEBEC ACCORDING TO BOURASSA. HOWEVER, SINCE QUEBEC IS THE MAJOR BASTION OF FRENCH CULTURE IN CANADA, THE EFFECTS OF SUCH GUARANTEES WOULD BE THE SAME. NOTING THAT A DECISION TO GO AHEAD WITH FORMAL TALKS IS STILL MONTHS AWAY, BOURASSA CONCLUDED THAT HE MUST GUARD AGAINST THE LOSS OF AUTONOMY FOR NORTH-AMERICA S ONLY FRENCH-SPEAKING GOVERNMENT.

5. COMMENT: BOURASSA S COMMENTS REPEATING VIEWS ANNOUNCED LAST AUGUST CLARIFY THE GOQSS POSITION. FRANCOIS CLOUTIER, QUEBEC MINISTER OF INTERGOVERNMENTAL AFFAIRS REVEALED ON FEBRUARY 4 THAT CONSTITUTIONAL NEGOTIATIONS BETWEEN OTTAWA AND QUEBEC HAD BEEN UNDERWAY FOR EIGHT MONTHS. TWO DAYS LATER, HE MODIFIED HIS STATEMENT TO READ QUOTES EXPLORATORY TALKS WERE UNDERWAY QUOTES AFTER HIS USE OF THE WORD QUOTES NEGOTIATIONS QUOTES CAUSED SOME STIR IN OTTAWA AND SPECULATION IN THE PRESS. CLOUTIER'S VAGUE FEBRUARY 4 MUSINGS ON THE POSSIBILITIES OF SEPARATING THE QUESTION OF REPATRIATION OF THE CONSTITUTION FROM REFORMS TO THE EXISTING CONSTITUTION AROUSED CONCERN IN MANY QUARTERS. HAD BOURASSA DROPPED HIS DEMANDS THAT PRIOR GUARANTEES OF CULTURAL SOVEREIGNTY BE OBTAINED? CLAUDE MORIN, PQ STRATEGIST AND FORMER DEPUTY MINISTER OF INTERGOVERNMENTAL AFFAIRS, WROTE A WIDELY-PUBLISHED LETTER TO CLOUTIER ON FEBRUARY 11 ACCUSING HIM (AND THE GOQ) OF HAVING ACCEPTED - QUOTES PACKAGE DEAL QUOTES WITH OTTAWA WHICH WOULD DISCUSS VAGUE CONSTITUTIONAL GUARANTEES WHILE RELINQUISHING QUEBEC'S STRUGGLE TO GAIN OR PROTECT PROVINCIAL POWER IN VARIOUS SECTORS SUCH AS COMMUNICATIONS, SOCIAL WELFARE, IMMIGRATION, ETC. FOR MORIN, THIS WAS A TOTAL QUOTES SELL-OUT QUOTES TO OTTAWA. THE TIMING OF BOURASSA S STATEMENT ON THE CURRENT STATE OF PLAY CERTAINLY WAS INFLUENCED IN PART BY THIS LETTER.

6. WE KNOW THAT SEVERAL GOQ CONSTITUTIONAL EXPERTS HAVE UNCLASSIFIED

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MADE RECENT TRIPS TO OTTAWA. CLOUTIER MAY HAVE REVEALED THE EXISTENCE OF THE TALKS PREMATURELY BUT BOURASSA S STATEMENT MAY NOW PUT AN END TO THE MOST EMBARRASSING - FROM A QUEBEC POINT OF VIEW - SPECULATION WHICH HAS CIRCULATED IN THE LAST 8 DAYS. IT REMAINS EVIDENT, AS ALWAYS, THAT EVEN A QUEBEC GOVERNMENT CONSIDERED SUBSERVIENT TO OTTAWA BY MOST QUEBEC NATIONALISTS MUST INSIST ON FIRM ASSURANCES ON CULTURAL SOVEREIGNTY AS WELL AS THE MECHANISMS OF REFORMS AND POWER

SHARING BEFORE IT CAN UNDERTAKE FINAL NEGOTIATIONS FOR
REPATRIATING THE CONSTITUTION. ANYTHING LESS WOULD BE
POLITICAL SUICIDE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL PARTIES, POLITICAL SITUATION, PROVINCIAL GOVERNMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 12 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976QUEBEC00023
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760054-1122
From: QUEBEC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760255/aaaabvyh.tel
Line Count: 119
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 QUEBEC A-28
Review Action: RELEASED, APPROVED
Review Authority: housmasa
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUL 2004 by oatisao>; APPROVED <04 OCT 2004 by housmasa>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BOURASSA NOTES PROGRESS IN PRELIMINARY FEDERAL- PROVINCIAL TALKS AIMED AT REPATRIATION OF CONSTITU-
TAGS: PINT, CA
To: STATE OTTAWA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006